

BOEHM, KURTZ & LOWRY

ATTORNEYS AT LAW
36 EAST SEVENTH STREET
SUITE 2110
CINCINNATI, OHIO 45202
TELEPHONE (513) 421-2255
TELECOPIER (513) 421-2764

Via Overnight Mail

RECEIVED

July 7, 2006

JUL 10 2006

PUBLIC SERVICE
COMMISSION

Beth A. O'Donnell, Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602

Re: Case No. 2006-00128

Dear Ms. O'Donnell:

Kentucky Industrial Utility Customers, Inc. (KIUC) hereby gives notice that it will not file testimony in this action and, with the exception of reserving its objections to the inclusion of any costs relating to out of state generating facilities not qualifying for environmental surcharge recovery pursuant to KRS 278.183 (an issue now on appeal before the Franklin Circuit Court in Consolidated Cases No. 05-CI-1534, -1543, and -1544) does not object to submission of the case for decision on the current record.

Please place this document of file.

Very Truly Yours,



David F. Boehm, Esq.
Michael L. Kurtz, Esq.

BOEHM, KURTZ & LOWRY

MLK:ew
Attachment

cc: Certificate of Service

CERTIFICATE OF SERVICE

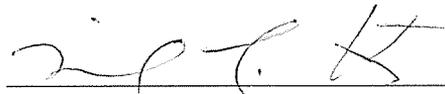
I hereby certify that a copy of the foregoing was served by mailing a true and correct copy, by first-class postage prepaid mail, to all parties on the 7th day of July, 2006.

Timothy C. Mosher
American Electric Power
101A Enterprise Drive
P. O. Box 5190
Frankfort, KY 40602

Honorable Elizabeth E. Blackford
Assistant Attorney General
Office of the Attorney General
Utility & Rate Intervention Division
1024 Capital Center Drive, Suite 200
Frankfort, KY 40601-8204
betsy.blackford@law.state.ky.us

Honorable Kevin F. Duffy
American Electric Power
Service Corporation
1 Riverside Plaza, 29th Floor
Post Office Box 16631
Columbus, OH 43216
kfduffy@aep.com

Honorable Mark R. Overstreet
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KY 40602-0634
moverstreet@stites.com



David F. Boehm, Esq.
Michael L. Kurtz, Esq.